

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WP(C).No. 24775 of 2007(Y)

PETITIONER:

**SIBY JOHN, PULINGAPALLIL HOUSE,
ETTUMANOOR, KOTTAYM.**

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

**1. THE REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM.**

**2. BINU SEBASTIAN,
PERIKILAMTHARAPPEL,
PADINJATTINKARA P.O.,
KADAPLAMATTOM.**

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.BALAKRISHNAN NAIR, J.

W.P.(C).No. 24775 of 2007

Dated this the 31st day of July, 2007.

J U D G M E N T

The petitioners are persons recruited as hired labourers during the year 1999-2000 through Employment Exchange by the B.S.N.L. They were being engaged into the work of giving new phone connections, laying cables, erecting posts etc. When the work done by them was sought to be given to private contractors, this writ petition was filed seeking the following reliefs.

2. The claim for regularisation cannot be granted in view of the decision in Secretary, State of Karnataka Vs. Umadevi (2006 (4) SCC 1). But, the learned counsel for the petitioners submitted that the respondents may be directed to continue to engage them for the works which were being undertaken by them instead of awarding the work to private contractors.

The respondents have filed a counter affidavit in which it is submitted that they were engaged to do certain additional works during a specified period and thereafter they were disengaged as their

services are no longer required. In answer, the petitioners would submit, initially, they were engaged on daily wage basis, subsequently they were engaged on piece rate basis.

The petitioners relied on the decision of the Central Administrative Tribunal, which is produced as Ext.P2 in which certain directions were issued regarding the engagement of persons similarly placed like the petitioners. It is also pointed out that the said judgment has become final. So, it is ordered that the directions in that judgment will govern the petitioners herein also.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS